

### **REMARKS**

Applicant thanks the Examiner for the detailed remarks and analysis. Claims 1-11, and 22-29 remain pending in this application. Claims 12-21 have been withdrawn and cancelled. Claim 28 has been amended to depend from claim 27. Claim 28 now complies with the requirements of 35 U.S.C. §112. The claims have been finally rejected. Applicant requests reconsideration of the final rejections for the following reasons.

Claims 1-3, 6, 9-11, 22-24, and 27-29 were rejected as anticipated by Ries (U.S. 4,468,981).

Examiner argues that Figure 5 discloses a pump housing with an cavity that defines a supply passage for communicating lubricant from a sump within the axle housing to the pump. Applicant respectfully disagrees, as Reis discloses a plurality pressure lines for communicating lubricant to a pump. Claim 1 requires a cavity for communicating lubricant from a sump within the axle housing to the pump. The passages in the Reis pump housing are for attachment to the supply lines and therefore cannot meet the limitations of claim 1. Further, claim 24 requires a bearing member supported within said pump housing separate from said axle housing for supporting rotation of said input shaft. The element 55 is a floating ring gear (Col 3 lines 5-12). The bearings (Figure 5, elements 38,39) are supported within the axle housing, not within the pump housing. For these reasons, Applicant requests reconsideration and withdrawal of this rejection.

Claims 1-6, 9-11, 22 and 24-28 were rejected as anticipated by Aikawa et al. (U.S. 6,770,005). Examiner argues that the two axle housing parts include the axle housing and the pump housing. Applicant disagrees and requests reconsideration. The housings as read by Examiner in Aikawa et al. does not disclose a cover including a cavity for communicating lubricant to the pump and therefore cannot anticipate claim 1. Further, claim 24 also requires a pump within a pump housing. The multiple piece axle housing disclosed in Aikawa does not disclose these features. Reconsideration and withdrawal of this rejection is requested.

Claims 7 and 8 were rejected as being obvious over Ries in view of Shiba et al. (U.S. 5,311,740). Claims 7 and 8 depend from an allowable base claim and are therefore also in allowable form.

Accordingly, the claims are believed in condition for allowance. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully submitted,

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